

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELVIRA VEKSLER,
Plaintiff,

-v-

WIPRO, LLC,
Defendant.

22-CV-6118 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

Defendant's request for an informal conference is denied as unnecessary. During the August 9, 2023 telephone conference, the Court made it clear that by not providing a HIPAA-compliant authorization for Plaintiff's therapy records, she was risking "strictly limiting or completely [e]ffecting the forfeiture of any emotional distress claims." The Court now rules that Plaintiff's emotional distress claims are forfeited, unless she provides the authorization within 7 days. Defendant's cited authorities regarding "garden variety" emotional distress claims are inapposite, as they do not involve a situation, like here, where the plaintiff fails to produce evidence that is clearly relevant to any emotional distress claims with respect to causation.

SO ORDERED.

Dated: December 20, 2023
New York, New York



J. PAUL OETKEN
United States District Judge